Present: Vice Chairman Tom Smith, Dave Badham, Michael Allen, Barbara Holt, Ray Keller, City Council Representative Beth Holbrook, City Prosecutor J. C. Ynchausti, City Engineer Paul Rowland, Planning Director Aric Jensen, and Recording Secretary Connie Feil.

Absent: Chairman Clark Jenkins and Attorney Russell Mahan.

Tom Smith introduced the City Prosecutor, J.C. Ynchausti, and welcomed all those present.

Michael Allen made a motion to approve the minutes for January 6, 2009 as written. Dave Badham seconded the motion and voting was unanimous in favor.

1.   **Consider preliminary and final subdivision plat approval for Silver Creek Commercial Complex located at 500 North 500 West, Jeremy Terry, applicant. (Continued from December 2, 2008).**

Jeremy Terry, applicant, was present. Paul Rowland explained that the developers of Silver Creek Commercial Center have submitted and are requesting final approval of their 4 lot subdivision plat. The subdivision plat is a little different from the typical plat that comes before the Commission. Because recent changes to City ordinances now allow a commercial subdivision with lots that front onto a private access easement instead of a public road.

There are more than the normal number of easements, including a cross access easement with the property to the west, the ingress/egress easement to cover access to the internal pad sites, and lots of public utility easements for water, power, etc. The site is crisscrossed with utilities, and the developers have worked with the utility companies to make sure the proper easements are shown on the plat to cover their needs. The only difficult utility on the site is the drainage. Because UDOT completed a major repaving project on 500 West this last summer, they will not allow any utility cuts into their road. As a result, the Silvercreek developers have reached an agreement with the owners of the Common Cents (Moyle Petroleum) property to tie into their drainage and detention system, thus taking the storm runoff to the pipe in 400 North.

The Planning Commission has seen the site plan for this development several times as it has evolved throughout the planning process. The only significant difference between the approved site plan and the proposed subdivision is that the State has decided to acquire the Parts Plus lot and use it for additional parking for the Liquor Store, thus reducing the number of lots from five to four. In a commercial development, the approved site plan is the preliminary plat because it contains all of the information necessary for preliminary plat review (existing slope, utilities, property boundaries, etc.). A copy of the approved site plan and the final plat drawing with redlines were included with the staff memo.

With the recent change to the Bountiful City Zoning Ordinance allowing for just this type of commercial development, Staff recommends that the Planning Commission send favorable recommendation to the City Council for Preliminary and Final Approval of the Silvercreek Commercial Subdivision with the following conditions:

1. The required bonds shall be posted and fees paid per the bond letter which will be sent to the Developer.
2. Provide a current Title Report for the property.
3. Make red line corrections to the plat.
4. All development shall conform to Bountiful City Ordinance.
5. Provide a copy of final agreement with Moyle Petroleum to cover the drainage plan.

Jeremy Terry, applicant, had no comments for the Commission.

After a brief discussion Dave Badham made a motion to recommend to the City Council preliminary and final subdivision plat approval for Silver Creek Commercial Complex located at 500 North 500 West subject to the recommendations and conditions outlined by Staff. Barbara Holt seconded the motion and voting was unanimous.

2.   Planning Director's report and miscellaneous business.

Mr. Jensen mentioned that amended final site plan approval for Silver Creek will be scheduled for February 3, 2009.

Meeting adjourned at 7:15 P.M.